DOCUMENT RESUME

ED 030 382 HE 000 788

Academic Freedom for Students at Michigan State University.
Michigan State Univ., East Lansing.
Pub Date 67
Note-37p.
EDRS Price MF-$0.25 HC-$1.95
Descriptors-*Academic Freedom, Discipline Policy, *Higher Education, Publications, Student Behavior, Student Records, *Student Role, *Student School Relationship
Identifiers-Due Process, *Michigan State University

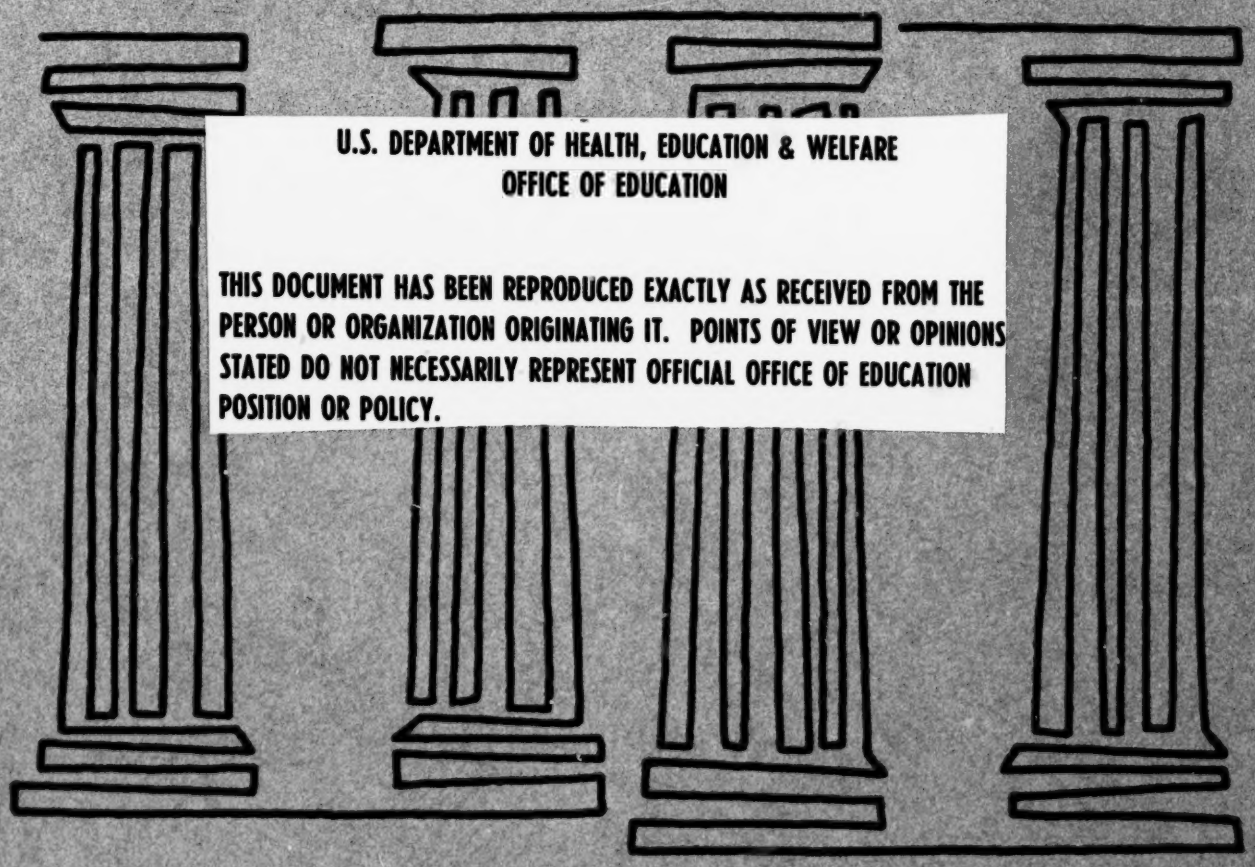
Approved by the Academic Council, the Academic Senate, and the Board of Trustees of Michigan State University, this document was prepared by the Faculty Committee on Student Affairs after an extensive review and study of the University's rules and structures relating to academic freedom for students. In an attempt to formulate an operational definition and concrete application of the concept, the Committee recommended guidelines identifying student rights and duties in regard to conduct, academic pursuits, the keeping of records, and publications. Structures and procedures are proposed for the formulation of regulations governing student conduct for the interpretation and amendment of the guidelines, for the adjudication of student disciplinary cases, and for channeling to the faculty and administration student complaints and concerns in the academic area. The report also contains related general recommendations on: the orientation of new students regarding their rights and responsibilities, a handbook of regulations and structures, the office of ombudsman, and adoption and implementation of this report. "The real significance of this document...is not that students have acquired rights, but that they have explicitly been made party to our social trust." (JS)

EDO 30382

ACADEMIC FREEDOM

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL OFFICE OF EDUCATION POSITION OR POLICY.



FOR STUDENTS AT MICHIGAN STATE UNIVERSITY

HE 000 788

A REPORT OF THE

FACULTY COMMITTEE ON STUDENT AFFAIRS

TO THE ACADEMIC COUNCIL

APPROVED BY **The Academic Council**
January 10, 1967

The Academic Senate
February 28, 1967

The Board of Trustees
March 16, 1967

FOREWORD

This foreword is not a part of the document that follows. It supplies, however, a necessary perspective for interpreting the document.

The present emphasis on student rights at Michigan State University must be understood against the social and historical background of the University itself.

When, more than a century ago, the people of Michigan established this institution on the land-grant principle, they framed a new conception of the role of the university in American life.

A land-grant university is a trusteeship of intellect in the service of society. It gathers society's creative and critical powers and uses them in order to liberate all of society's other powers.

That is the special character that has caused the land-grant university to become one of the great transforming agencies of the American scene. When it honors its commission, it acts not for its own sake, not for the sake of the academic community, but for the sake of society beyond the academy. All members of the academic community — trustees, administration and faculty alike — enact a trust of which society beyond the university is the proper beneficiary.

The real significance of this document, as we believe, is not that students have acquired rights, but that they have explicitly been made party to our social trust. The responsibility which lies upon the administration and the faculty continues. They remain guardians of the university, charged with preserving in it the genius of scholarship and the conditions of inquiry which society has entrusted to their care.

THE ACADEMIC COUNCIL
February 7, 1967

PREFACE

The Faculty Committee on Student Affairs prepared this report after an extensive and intensive review and study of the University's rules and structures relating to academic freedom for students. The report recommends guidelines which represent the Commitee's attempt to identify rights and duties of students in regard to conduct, academic pursuits, the keeping of records, and publications. It proposes structures and procedures for the formulation of regulations governing student conduct, for the interpretation and amendment of the guidelines, for the adjudication of student disciplinary cases, and for channeling to the faculty and administration student complaints and concerns in the academic area. The report also contains recommendations on a number of important related subjects.

We wish to caution against one possible kind of misinterpretation of our recommendations. In some respects, what we propose represents major changes in present policies, structures, and procedures. But that is not true of all of our proposals. In some important respects, our recommendations simply make explicit what has long been understood and practiced at Michigan State University.

Although the Commitee's study centered on academic freedom for students, we have made no attempt to formulate a general and abstract definition of that term, or to explain it in an interpretive essay. Instead we have directed our energies to the formulation of an operational definition and concrete application of the concept. This report identifies rights and duties of students and provides for them a carefully prescribed system of substantive and procedural due process; and we submit these guidelines, structures, and procedures as a testament of the Committee's concept of academic freedom for students.

Faculty Committee on Student Affairs

Vera Borosage
T. Clinton Cobb
John A. Fuzak
Robert N. Hammer
William D. Lindquist
Allan Mandelstamm
George H. Martin
Eldon R. Nonnamaker, *Secretary*
David C. Ralph
Henry Clay Smith
Woodrow Snyder
Frederick D. Williams, *Chairman*, 1965-1966
John J. Reinoehl, *Chairman*, 1966-1967

Consultants

Dale Hathaway
George Johnson
Charles C. Killingsworth
Russel B. Nye

TABLE OF CONTENTS

ARTICLE 1: Student Rights and Responsibilities at Michigan State University 1-3

ARTICLE 2: Academic Rights and Responsibilities of Students 4-7

2.1 Guidelines 4-6

2.2 The Professional Rights of the Faculty 6-7

2.3 The Standing Committee on the Academic Rights and Responsibilities of Students 7

ARTICLE 3: Student Records at Michigan State University 8-9

ARTICLE 4: Judicial Process 10-20

4.1 Introduction 10

4.2 Due Process 10-11

4.3 Judicial Structure 12

4.3.1 Living Unit Judiciaries 12-13

4.3.2 Governing Group Judiciaries 13

4.3.3 All-University Student Judiciary 14-16

4.3.4 Student-Faculty Judiciary 16-19

4.4 Implementation 20

ARTICLE 5: Student Government and Regulations Governing Student Conduct 21-22

ARTICLE 6: Student Publications 23-29

6.1 The State News 23-26

6.2 The Wolverine 26-27

6.3 Other Student Publications 27-29

ARTICLE 7: Procedure for Amending and Revising This Document 30

ARTICLE 8: General Recommendations 31-32

8.1 Orientation of New Students Regarding Their Rights and Responsibilities 31

8.2 Handbook of Regulations and Structures 31

8.3 The Office of the Ombudsman 31-32

8.4 Adoption and Implementation of This Report 32

ARTICLE 1

Student Rights and Responsibilities at Michigan State University

1.1 Michigan State University is a community of scholars whose members include its faculty, students, and administrators. The basic purposes of the University are the enlargement, dissemination and application of knowledge. The most basic necessity for the achievement of these purposes is freedom of expression and communication. Without this freedom, effective sifting and testing of ideas cease and research, teaching, and learning are stifled. Knowledge is as broad and diverse as life itself, and the need for freedom is equally broad. Yet absolute freedom in all aspects of life means anarchy, just as absolute order means tyranny. Both anarchy and tyranny are antithetical to the purposes and necessities of the University. Therefore, the University always must strive to strike that balance between maximum freedom and necessary order which best promotes its basic purposes by providing the environment most conducive to the many faceted activities of research, teaching, and learning.

1.2 Each right of an individual places a reciprocal duty upon others: the duty to permit the individual to exercise the right. The student, in his status as a member of the academic community, has both rights and duties. Within that community, the student's most essential right is the right to learn. The University has a duty to provide for the student those privileges, opportunities and protections which best promote the learning process in all its aspects. The student, for his part, has duties to other members of the academic community, the most important of which is to refrain from interference with those rights of others which are equally essential to the purposes and processes of the University.

1.3 The University cherishes many values, modes of thought and standards of behavior that are better taught by example, persuasion, social pressure, and rewards than by the threat of penalties. Regula-

tions governing the activities and conduct of student groups and individual students should not be comprehensive codes of desirable conduct; rather, they should be limited to the prescription of procedures for meeting the practical, routine necessities of a complex community and to the prohibition or limitation of acts which cannot be tolerated because they seriously interfere with the basic purposes, necessities and processes of the academic community, or with rights essential to other members of that community.

1.4 The student is not only a member of the academic community; he is also a citizen of the larger society. As a citizen, he retains those rights, protections and guarantees of fair treatment which are held by all citizens, and the University may not deny them to him. The enforcement of the student's duties to the larger society is, however, the responsibility of the legal and judicial authorities duly established for that purpose.

1.5 To protect student rights and to facilitate the definition of student responsibilities at Michigan State University, the following guidelines are established:

1.5.01 All regulations shall seek the best possible reconciliation of the principles of maximum freedom and necessary order.

1.5.02 There shall be no regulation unless there is a demonstrable need for it which is reasonably related to the basic purposes and necessities of the University as stipulated herein.

1.5.03 To the maximum extent feasible, students shall participate in formulating and revising regulations governing student conduct.

1.5.04 All regulations governing student conduct shall be made public in an appropriate manner.

1.5.05 Every regulation shall be as brief, clear and specific as possible.

1.5.06 Wherever rights conflict, regulations shall, to the maximum extent feasible, permit reasonable scope for each conflicting right by defining the circumstances of time, place and means appropriate to its exercise.

1.5.07 Regulations relating to communication of ideas shall encourage the competition of ideas.

1.5.08 Procedures and penalties for the violation of regulations shall be designed for guidance or correction of behavior rather than for retribution.

1.5.09 Penalties shall be commensurate with the seriousness of the offense. Repeated violations may justify increasingly severe penalties.

1.5.10 There shall be clearly defined channels and procedures for the appeal and review of:

a. The finding of guilt in an alleged violation of a regulation.

b. The reasonableness, under the circumstances, of the penalty imposed for a specific violation.

c. The substance of a regulation or administrative decision which is alleged to be inconsistent with the guidelines in this document.

d. The fairness of the procedures followed in the original adjudication.

1.5.11 Every regulation shall specify to whom it applies and whether responsibility for compliance lies with individuals, with groups, or with both.

ARTICLE 2

Academic Rights and Responsibilities of Students

2.1 Preamble and Guidelines

2.1.1 The freedom and effectiveness of the educational process depend upon the provision of appropriate conditions and opportunities for learning. The responsibility to secure, respect and protect such opportunities and conditions is shared by all members of the academic community. The primacy of the faculty's role and its unquestionable centrality in the educational process must be recognized. The primary intellectual purpose of the University—its intellectual content and integrity—is the responsibility of the faculty.

2.1.2 It is the instructor's role to encourage free discussion, inquiry and expression among his students in their quest for knowledge. He should hold before them the best scholarly standards of his discipline. He should conduct himself in keeping with the dignity of his profession. He should adhere closely to his proper role as intellectual guide and counselor. He should foster honest academic conduct and evaluate his students fairly and accurately. He should respect the confidential nature of the relationship between instructor and student. He should avoid exploitation of students for private advantage and should acknowledge significant assistance from them. He should protect students' rights as defined herein.

2.1.3 The establishment and maintenance of the proper relationship between instructor and student are fundamental to the University's function, and require both instructor and student to recognize the rights and responsibilities which derive from it. The relationship between instructor and student as individuals should be founded on mutual respect and understanding; it assumes a common dedication to the educational process. If problems arise in this relationship, whether on matters personal or on matters concerning instructional materials and methods, both student and instructor should attempt to

resolve them in informal, direct discussions as between well-intentioned, reasonable persons.

2.1.4 To identify and define the academic rights and responsibilities of students at Michigan State University, the following guidelines are established:

THE RESPONSIBILITY OF THE STUDENT

2.1.4.1 The student is responsible for learning the content of a course of study according to standards of performance established by the faculty.

2.1.4.2 The student's behavior in the classroom shall be conducive to the learning process for all concerned.

THE ACADEMIC RIGHTS OF THE STUDENT

2.1.4.3 The student shall be free to take reasoned exception to data and views offered in the classroom, and to reserve judgment about matters of opinion, without fear of penalty.

2.1.4.4 The student has a right to a course grade that represents his instructor's good-faith judgment of the student's performance in the course. (A lack of good faith may be established by proof that a grade was based partly or entirely on considerations irrelevant to the assessment of the student's performance in the course.)

2.1.4.5 The student has a right to protection against improper disclosure of information concerning his grades, views, beliefs, political associations, health, or character which an instructor acquires in the course of his professional relationship with the student.

2.1.4.6 The student has a right to accurate and clearly stated information which enables him to determine:

a. The general requirements for establishing and maintaining an acceptable academic standing;

b. His own academic relationship with the University and any special conditions which apply;

c. The graduation requirements for his particular curriculum and major.

2.1.4.7 The student has a right to be governed by educationally justifiable academic regulations.

2.1.4.8 Any student who believes that his academic rights (as hereinabove defined) have been violated may, after a ruling obtained through established procedures in the department and college in

which the alleged violation occurred, file a complaint with the Student-Faculty Judiciary.

THE RESPONSIBILITY OF THE FACULTY

2.1.4.9 Faculty shall have final authority and responsibility for course content, classroom procedure and grading. No committee or judicial body established under this document shall have any power to change or to direct a change in any individual grade that represents the instructor's good-faith judgment of the student's performance in the course.

2.2 The Professional Rights of the Faculty

2.2.1 The code of equity law prescribes for every wrong a remedy. It is the Committee's finding (a) that there are in fact, in isolable cases at this University, legitimate complaints of students concerning the quality of instruction, and (b) that in some cases the students are presently without a remedy.

2.2.2 In such cases, in a well-ordered university, the student has a right to a remedy, and this University undertakes, within the limits of its resources and the limits imposed by due respect for the professional rights of the faculty, to supply it.

2.2.3 The limits of the University's resources proceed from factors subject to its influence but not always subject to its control. Nevertheless, within these limits the University's obligation is on all occasions to supply such remedies as it can.

2.2.4 The professional rights of the faculty are another matter, and no provision for the rights of students can be valid which suspends them or in any measure invades them. The question here is not whether students have the right to competent instruction, but how this right which is admitted is to be reconciled with the rights of the faculty which must also be admitted. And we lay down as a fundamental premise, concerning the latter, that the competency of a professional can be rightly judged only by professionals.

2.2.5 The direct consequence of this premise is that an adversary proceeding between a student and an instructor before any of the ordinary judicial bodies established in this instrument is inappropriate.

2.2.6 It is, however, acknowledged, and indeed insisted on, that if competence of instruction is not to be judged by students, then it must be judged by the faculty.

2.2.7 The University distinguishes two rights: a right of the students, and a right of the faculty. The two rights must be reconciled. They can be reconciled only on condition that we undertake to provide a systematic channel in which students may seek remedies and the faculty stands ready to assist them.

2.2.8 It is therefore recommended that those departments and colleges that lack appropriate and clearly defined channels for the receipt and consideration of student complaints concerning the quality of instruction shall establish them.

2.2.8.1 These departmental and college committees shall be the sole agencies for hearing complaints of this kind. A student may appeal the ruling of a departmental committee to the college committee. But there shall be no appeal beyond the college committee except to the dean of the college, who may ask, upon a showing, that a given case be reconsidered.

2.2.8.2 Student recommendations concerning courses, systems of grading, methods of instruction, programs of study and other student interests in the academic area shall be referred to appropriate departmental and college agencies.

2.3 The Standing Committee on the Academic Rights and Responsibilities of Students

2.3.1 A student may have complaints and recommendations in the academic area which have University-wide relevance. To handle these matters and to study problems relating to the academic rights and responsibilities of students that are referred to it by the Provost, Ombudsman (see 8.3, below), faculty, or other members of the academic community, there shall be established a Standing Committee on the Academic Rights and Responsibilities of Students. As a result of its deliberations, this Committee may make recommendations to the Provost and to the Academic Council on matters relating to the academic rights and responsibilities of students.

2.3.2 The Committee shall be composed as follows:

a. Five students appointed by the Student Board of the Associated Students of Michigan State University (ASMSU);

b. Five faculty members selected according to the pattern employed for establishing the membership of faculty standing committees;

c. One member of the Provost's staff who shall serve as secretary without a vote.

ARTICLE 3

Student Records at Michigan State University

3.1 Achieving educational goals, providing direction to students and extending service to society demand that the University keep records. All policies and practices concerning records shall be based on respect for the privacy of the individual student. Because of the professional and legal responsibilities involved, record-keeping must be delegated only to responsible persons.

3.2 To protect the privacy of the student and to facilitate the definition of responsible policies and practices relative to student records, the following guidelines are established:

3.2.01 No record shall be made or retained unless there is a demonstrable need for it which is reasonably related to the basic purposes and necessities of the University.

3.2.02 The University shall not make or retain records of a student's religious or political beliefs without his knowledge and consent.

3.2.03 A student shall have the right to inspect the official transcript of his own academic record. He shall also have the right to inspect reports and evaluations of his conduct, except letters of recommendation and similar evaluations which are necessarily prepared on a confidential basis.

3.2.04 All policies and practices dealing with the acquisition of information for records shall be formulated with due regard for the student's right of privacy.

3.2.05 Every record containing information about a student's character shall state when the information was acquired and the name and position of the person who gave it.

3.2.06 Evaluation of students shall be made only by persons who are qualified to make that evaluation.

3.2.07 All persons who handle confidential records shall be instructed concerning the confidential nature of such information and concerning their responsibilities regarding it.

3.2.08 No one outside the faculty or administrative staff of Michigan State University may have access to the record of a student's offenses against University regulations without the express permission of the student in writing.

3.2.09 Duplication of records shall be kept at a minimum.

3.2.10 All policies relating to the keeping of records shall be brief, clear and specific.

3.2.11 All policies governing the maintenance and the selective release of records and of portions of records shall be made public in an appropriate manner and shall be subject to judicial review as provided in Article 4.

ARTICLE 4

Judicial Process

4.1 Introduction

4.1.1 The basic fundamentals of fair play in the adjudication of student violations or student complaints are expressed by Article VIII of the "Bylaws of the Michigan State University Board of Trustees." This article states in part:

> It is the policy of the Board that the President shall develop a program, structured along the fundamentals of basic due process, for the hearing and resolving of important, significant, and serious student complaints.

4.1.2 Any student accused of violating a regulation shall have the right to appear before one or more members of a duly constituted judicial body. All such bodies shall adhere to the basic fundamentals of due process as stated below.

4.2 Due Process

4.2.1 The following procedural guidelines are established for the direction of all bodies conducting formal hearings in disciplinary matters:

4.2.1.01 The student shall be notified by an appropriate University official that he is accused of violating a regulation.

4.2.1.02 The student shall be notified that he may elect one of three courses of action.

a. The student may admit the alleged violation and request, in writing, that the administrative officer take whatever action seems appropriate. Should the student elect this course of action, he shall be notified that he is entitled to appeal the administrator's decision to the Student-Faculty Judiciary.

b. The student may admit the alleged violation, and request a hearing before the appropriate judicial body.

c. The student may deny the alleged violation, in which case the administrative officer shall refer him to the appropriate judicial body.

4.2.1.03 At least 72 hours prior to the hearing the student shall be entitled to the following:

a. Written notification of the time and place of the hearing.

b. A written statement of the charges of sufficient particularity to enable the student to prepare his defense.

c. Written notification of the names of the witnesses who are directly responsible for having reported the alleged violation to the University official, or, if there are no such witnesses, written notification of how the alleged violation came to the official's attention.

4.2.1.04 The student shall be entitled to appear in person and to present his defense to the judicial body, and may call witnesses in his behalf. The student may also elect not to appear before the judicial body. Should he elect not to appear, the hearing shall be held in his absence. The failure of a student to appear shall not be taken as indicative of guilt and must be noted without prejudice.

4.2.1.05 The student shall be entitled to be accompanied by counsel of his choice: counsel shall be a member of the faculty, staff or student body of the University.

4.2.1.06 The student or his counsel shall be entitled to ask questions of the judicial body or of any witnesses.

4.2.1.07 The student shall be entitled to refuse to answer questions.

4.2.1.08 The student shall be entitled to an expeditious hearing of his case.

4.2.1.09 The student shall be entitled to an explanation of the reasons for any decision rendered against him.

4.2.1.10 The student shall be notified of his right to appeal the decision of the judicial body. Should the student appeal, any action assessed by the judicial body shall be held in suspense until acted upon by a higher body.

4.2.2. The above shall serve as procedural guidelines with respect to the conduct of formal hearings in disciplinary matters. The several duly constituted judicial bodies shall implement these guidelines.

4.3 Judicial Structure

The guidelines hereinabove stated shall be implemented by the following judicial bodies:

4.3.1 *Living Unit Judiciaries*

Each fraternity, sorority, cooperative, or residence hall shall establish a judiciary unless it shall, by majority vote, waive this responsibility and assign it to its respective governing group.

4.3.1.1 **Composition:** The members of the judiciary shall be selected by the members of the living unit according to procedures established by the living unit's constitution.

4.3.1.2 **Original Jurisdiction:** A living unit judiciary shall have original jurisdiction over its members in the following areas:

a. *House and Hall Rules:* Living unit judiciaries shall hear cases of students accused of violating regulations established by the hall or house.

b. *Major Governing Group Regulations:* Living unit judiciaries shall hear cases of students accused of violating regulations specific to all residences in a major governing group.

c. *All-University Regulations:* A living unit judiciary shall hear cases of students accused of violating All-University regulations when such cases are referred to it. Such referral may be made by a higher judicial body or by the Office of the Dean of Students. Living unit judiciaries shall also have original jurisdiction over violations of regulations governing women's hours and sign out procedures.

4.3.1.3 **Non-Members:** The All-University Student Judiciary shall be the judicial body to hear cases involving students who are accused of violating regulations of a living unit of which they are not members and who request a judicial hearing.

4.3.1.4 **Referral of Cases:** Cases involving alleged violations of regulations under the jurisdiction of a living unit judiciary shall be referred to that judiciary by the administrative officer of the unit. A living unit judiciary may waive jurisdiction over any case and refer it to the All-University Student Judiciary.

4.3.1.5 **Appeals:** If a student is heard by a living unit judiciary and is not satisfied with the decision, he may appeal that decision to the All-University Student Judiciary. The All-University Student Judiciary may, after reviewing the case, decide as follows:

a. There are sufficient reasons for another hearing. In this case the All-University Student Judiciary will follow its regular hearing procedures.

b. There are not sufficient reasons for another hearing. In this case the decision of the living unit judiciary shall stand, unless the student appeals to the Student-Faculty Judiciary.

4.3.1.6 **Decisions:** After hearing a case, a living unit judiciary may decide as follows:

a. *Not Guilty:* No violation of a regulation has been proved.

b. *Guilty:* A violation of a regulation has been proved. In this case, the living unit judiciary may select from the following penalties:

(1) WARNING: An official written reprimand.

(2) LIVING UNIT PROBATION: This probation shall require the student to be in a specified place between specified hours for a specified length of time; such specifications to be designated by the living unit judiciary. In no case shall the probation exceed ten days.

4.3.2 *Governing Group Judiciaries*

The following major governing groups shall have judicial responsibility in cases involving both individual and group violations:

a. Men's Halls Association (MHA)

b. Women's Inter-residence Council (WIC)

c. Interfraternity Council (IFC)

d. Panhellenic Council (PanHel)

e. Intercooperative Council (ICC)

4.3.2.1 **Individuals:** Living unit judiciaries shall have the responsibility of adjudicating individual student violations unless those units, by a majority vote, waive this responsibility and refer such cases to the major governing group judiciary, which shall then follow the procedures and policies outlined for living unit judiciaries.

4.3.2.2 **Groups:** Each major governing group shall be responsible for the adjudication of cases involving violations of a regulation by any student organization under its jurisdiction.

4.3.2.3 Procedures for the adjudication of such cases shall be determined by each major governing group and shall be consistent with the guidelines governing due process. All appeals from this body shall be directed to the All-University Student Judiciary.

4.3.3 *All-University Student Judiciary*

The Constitution of the Associated Students of Michigan State University establishes an All-University Student Judiciary. The Judiciary is advised by an administrative officer appointed by the Vice President for Student Affairs.

4.3.3.1 **Composition:** The membership of the All-University Student Judiciary shall be determined according to procedures established by the Constitution of the Associated Students of Michigan State University.

4.3.3.2 **Jurisdiction:** The All-University Student Judiciary shall have jurisdiction in the following areas:

a. *Original Jurisdiction:* The Judiciary shall have original jurisdiction over:

(1) Alleged violations of regulations under the jurisdiction of living unit judiciaries or governing group judiciaries if the student violating the regulation is not a member of the living unit or group in which the violation allegedly occurred.

(2) Alleged violations of other regulations when such cases shall be referred to it by the Office of the Vice President for Student Affairs, a living unit judiciary, a governing group judiciary, or the Student-Faculty Judiciary.

(3) Alleged violations of regulations specific to an organization registered with the Associated Students of Michigan State University.

(4) Alleged violations of the Constitution of ASMSU or an action of the Student Board of ASMSU.

(5) The constitutionality of decisions of the Student Board, ASMSU.

(6) The constitutionality of any action taken by the chief executive of the all-University cabinet of ASMSU.

(7) The constitutional conflicts between any campus organizations, or between major governing groups, or between campus organizations and governing groups.

(8) The constitutionality of any act taken by a student organization or governing group.

b. *Appeals from Lower Judiciaries:* The All-University Student Judiciary shall consider appeals from living unit judiciaries or governing group judiciaries. The student may submit an appeal, which must be in writing, to the Chief Justice of the Judiciary,

indicating the reasons for appealing the decision. The Judiciary may then request all evidence upon which the previous decision was made. On the basis of this evidence and the student's written statement the Judiciary shall decide whether there are, or are not, sufficient reasons for another hearing. If the Judiciary decides to hear the case it shall follow its regular procedures. If the Judiciary decides not to hear the case, the decision of the living unit judiciary or governing group judiciary shall stand unless appealed to the Student-Faculty Judiciary.

c. *Referrals:* The All-University Student Judiciary may waive jurisdiction and send a case to a higher judicial body or refuse to hear a case and refer it to a lower judicial body.

4.3.3.3 **Appeals to the Student-Faculty Judiciary:** If a student is heard by the All-University Student Judiciary and is not satisfied with the decision, he may appeal the decision to the Student-Faculty Judiciary. The Student-Faculty Judiciary may, after reviewing the case, decide as follows:

a. There are sufficient reasons for another hearing. In this case the Student-Faculty Judiciary shall follow its regular procedures, and may affirm, reverse, or modify the finding and penalty.

b. There are not sufficient reasons for another hearing. In this case the decision of the All-University Student Judiciary shall stand unless appealed to the Vice President for Student Affairs.

4.3.3.4 **Decisions:** After hearing a case the All-University Student Judiciary may decide as follows:

a. *Not Guilty:* No violation of a regulation has been proved.

b. *Guilty:* A violation of a regulation has been proved. In this case the Judiciary may select from the following penalties.

(1) WARNING: An official written reprimand.

(2) WARNING PROBATION: A probation indicating that further violations of regulations shall result in more severe disciplinary action. This probation shall be imposed for a specific period of time and the student shall be automatically removed from probation when the imposed period expires.

(3) DISCIPLINARY PROBATION: A probation indicating that further violations may result in suspension. In addition, the Judiciary may notify the student's parents of his probationary status, and may withdraw any or all of the following privileges: (a) the operation of an automobile on campus; (b) the holding

of an office in a campus organization; (c) the representation of the University in any inter-University events.
This probation shall be imposed for a specific period of time, and the student shall automatically be removed from probation when the imposed time limit expires.

(4) SUSPENSION: The student shall, subject to approval of the Vice President for Student Affairs, be suspended from the University for a definite or indefinite period of time.

4.3.4 *Student-Faculty Judiciary*
A Student-Faculty Judiciary shall be established.

4.3.4.1 **Composition:** The Judiciary shall be made up as follows:

a. Four students appointed by the Student Board, ASMSU, from nominees submitted by the All-University Student Judiciary. Initially two juniors shall be appointed for two years and two seniors for one year. Subsequently, two juniors shall be appointed each year and shall serve for a two-year period.

b. Seven members of the faculty selected according to the pattern employed for establishing the membership of faculty standing committees. Faculty shall serve for a period of three years. Initially, three faculty shall be appointed for three years, three for two years and one for one year.

c. The Vice President for Student Affairs shall appoint one member who shall serve *ex officio* with no vote. This person shall serve as secretary to the Judiciary.

d. At the first meeting of the academic year, the voting members of the Student-Faculty Judiciary shall select from among their number a Chairman who shall serve for one year.

4.3.4.2 **Jurisdiction:** The Student-Faculty Judiciary shall have jurisdiction in the following areas:

a. *Original Jurisdiction:* The Judiciary shall have original jurisdiction over:

(1) Cases involving alleged violations of regulations which are referred to the Judiciary by the Office of the Vice President for Student Affairs.

(2) Cases involving the recommendation of an instructor and a dean for action other than, or in addition to, a failing grade in a course given on the basis of a charge of academic dishonesty.

(3) Cases involving request for readmission from suspension for non-academic reasons after a student has been suspended or denied readmission by an administrative officer.

(4) Cases arising under Article 6.

b. *Appeals:* The Judiciary shall consider appeals from students or student groups who object to the ruling of a lower judicial body, or who have asked to appear before such a body and have been denied a hearing; or from students or student groups who are appealing administrative decisions of a disciplinary nature.

(1) In the case of an individual, the student may submit an appeal, which must be in writing, to the Chairman of the Judiciary, indicating the reasons for his appeal. The Chairman shall then request all evidence upon which the previous decision was made. The Judiciary shall review the evidence together with the student's written statement, and shall decide whether there are, or are not, sufficient reasons for another hearing. The Judiciary may direct a lower body to hear or rehear the case. If the Judiciary decides to hear the case, it shall follow its regular procedures. If the Judiciary decides not to hear the case the decision of the lower body is final unless appealed to the Vice President for Student Affairs, who may affirm, reverse, or ask the Judiciary to reconsider the decision.

(2) In the case of an appeal from a student group, the same procedure is followed, except that a designated representative of the group shall file the appeal.

(3) In cases involving a student protest of a failing grade given on the basis of a charge of academic dishonesty, the student may appeal to the Judiciary a judgment made by a department or a college.

(4) In cases resulting from an allegation of a violation of student rights as defined in Article 2 (2.1-2.1.4.9), a student may appeal to the Judiciary a judgment made through the procedures established by the departments and colleges.

4.3.4.3 **Appeals:** All decisions of the Judiciary with respect to individual and group actions are final unless appealed to the Vice President for Student Affairs, who may affirm, reverse, or ask the Judiciary to reconsider a decision.

4.3.4.4 **Decisions:** After hearing a case the Judiciary may decide as follows:

a. *Not Guilty:* No violation of regulations has been proved.

b. *Guilty:* A violation of a regulation has been proved. In this case the Judiciary may select from the following penalties:

(1) WARNING: An official written reprimand.

(2) WARNING PROBATION: A probation indicating that further violations of regulations shall result in more severe disciplinary action. This probation shall be imposed for a specified period and the student shall be automatically removed from probation when the imposed period expires.

(3) DISCIPLINARY PROBATION: A probation indicating that further violations may result in suspension. In addition, the Judiciary may notify the student's parents of his probationary status, and may withdraw any or all of the following privileges: (a) the operation of an automobile on campus; (b) the holding of an office in a campus organization; (c) the representation of the University in any inter-University events.

(4) SUSPENSION: The Judiciary, subject to the approval of the Vice President for Student Affairs, may suspend a student for a definite or indefinite period of time.

(5) OTHER: The Judiciary may take other action that may seem appropriate for any given case.

4.3.4.5 The Student-Faculty Judiciary shall review the substance of a regulation or an administrative decision which is alleged to be inconsistent with the guidelines established in Article 1 ("Student Rights and Responsibilities"), Article 2 ("Academic Rights and Responsibilities of Students"), Article 3 ("Student Records"), and Article 6 ("Student Publications"). The procedure for such review shall be as follows:

a. The student or student group making the allegation shall submit to the Office of the Vice President for Student Affairs a written statement of the reason for the appeal.

b. The Office of the Vice President for Student Affairs shall promptly send a copy of the letter to the Chairman of the Student-Faculty Judiciary.

c. The Judiciary shall determine whether or not it will accept the appeal. If the appeal is rejected, the appealing party shall be notified. If the appeal is accepted, the Judiciary must immediately notify the appealing party and the administrative officer or group responsible for the challenged regulation or administrative decision. The Judiciary must also provide to the administrative officer or the group responsible for the challenged regulation or

administrative decision a copy of the written statement of the reason for the appeal. The Judiciary shall thereupon conduct a hearing on the matter. The Chairman of the Judiciary shall send to the Office of the Vice President for Student Affairs a written statement of the decision and the reasons for it.

d. The Office of the Vice President for Student Affairs shall promptly send to the originator of the appeal a duplicate copy of the Judiciary's statement. If the decision of the Judiciary is that a regulation or an administrative decision is inconsistent with the guidelines of Article 1, Article 2, Article 3, or Article 6, the Office of the Vice President for Student Affairs shall promptly make the decision public in an appropriate manner and shall notify the body responsible for the regulation or administrative decision.

e. The Office of the Vice President for Student Affairs shall keep a file of all decisions for future reference.

4.3.4.6 The procedural rules of the Student-Faculty Judiciary shall include provisions for expedited consideration of urgent cases in which it is alleged that a regulation or administrative decision threatens immediate and irreparable infringement on student rights as defined by Articles 1, 2, 3 and 6 in this document. If a majority of the Student-Faculty Judiciary, or a majority of a panel appointed by the Chairman for this purpose, should decide that a request for expedited handling of a case should be granted, the Chairman shall have the discretionary authority to request the individual or the group responsible for enforcing the challenged regulation or administrative decision to postpone action or to withdraw action already taken; provided, that the Chairman may make such a request only if, in his best judgment, such a postponement of action or withdrawal of action will not, under the circumstances, preclude, predetermine or render irrelevant the ultimate decision of the Student-Faculty Judiciary on the merits of the case. It shall be the duty of the Student-Faculty Judiciary to make every reasonable effort to meet whatever exigencies of time may exist in those cases which it accepts for expedited handling. If necessary, the Student-Faculty Judiciary may announce its decision in such a case without a written statement of its reasons (as provided in 4.3.4.5c above), provided that such a statement of reasons shall be filed as soon as reasonably possible after the announcement of the decision.

4.4 Implementation

4.4.1 *Governing Group Constitutional Revision*

4.4.1.1 It is recommended that each of the major governing groups (MHA, WIC, IFC, PanHel, ICC) alter its constitution to provide for judicial bodies described in the section on judicial structures.

4.4.1.2 It is also recommended that the judicial function currently exercised by Associated Women Students (AWS) be transferred to Women's Inter-residence Council and Panhellenic Council. AWS shall retain its other responsibilities and shall become a part of ASMSU. As such it shall perform those functions it currently performs (judicial functions excepted), and may recommend regulations governing women's affairs through ASMSU.

4.4.1.3 The current judicial system for women at the living unit level is not now directly related to living unit governments. AWS exists as a separate body, related only in part to either women's halls or sororities and only in part to Women's Inter-residence Council and Panhellenic Council. Women's living unit governments and major governing groups would be strengthened by assigning the judicial functions to them. Such a system would more readily tie in with the judicial procedures recommended for the rest of the campus, and provide for a systematized way of handling disciplinary situations.

4.4.2 *Constitutional Revision by Student Government*

It is recommended that, in Article 4, Sections 4.3.1, 4.3.2, and 4.3.3 of the part entitled "Judicial Structure" shall not become operative until the Student Board of ASMSU makes the necessary constitutional changes and those changes are approved by a referendum conducted by the Student Board of ASMSU.

ARTICLE 5

Student Government and Regulations Governing Student Conduct

5.1 It is inappropriate to recommend in this document extensive changes in the existing student government structure; neither is it contemplated that changes initiated by students should be precluded, although many of the following regulations are related to the existing structure. This structure provides for considerable self-government at living unit levels, and increased participation in University government at higher levels.

5.2 It is recommended, however, that regulations developed by living units be reviewed by the appropriate governing group. The governing group, after reviewing the regulations, shall refer the matter back to the living unit, together with any suggestions for change. After review by the living unit, the matter shall be returned to the major governing group which shall forward the regulation, together with any recommendations it cares to make, to the Student Board of ASMSU and to the Faculty Committee on Student Affairs. The Student Board of ASMSU and the Faculty Committee on Student Affairs shall review the regulations and forward them, together with any recommendations they care to make, to the Vice President for Student Affairs. If both bodies approve the regulations, the Vice President for Student Affairs shall make public his decision regarding the regulations. If the Student Board of ASMSU and the Faculty Committee on Student Affairs disagree over the regulations, the Vice President for Student Affairs shall refer them to an *ad hoc* Conference Committee consisting of two students, appointed by the Chairman of the Student Board of ASMSU, and two members of the Faculty Committee on Student Affairs, appointed by the Chairman of that committee. The Conference Committee shall study the points of disagreement and forward its recommendations to the Student Board of ASMSU and to the Faculty Committee on Student Affairs. If both bodies accept the recommendations, the Vice President for Student Affairs shall

make public his decision regarding the regulations. If either the Student Board of ASMSU or the Faculty Committee on Student Affairs rejects the recommendations of the Conference Committee, the proposed regulations shall be returned to the originating body with an explanation.

5.3 A major governing group, the Student Board of ASMSU, or the Faculty Committee on Student Affairs, may originate regulations, but such regulations must be referred directly to the appropriate living units, whereupon the procedure described in the preceding paragraph shall be followed.

ARTICLE 6

Student Publications

6.1 The State News

6.1.1 It is desirable to adopt an organizational structure and an assignment of responsibilities which will make it clear that the *State News* is a student newspaper whose tone and content are determined by the student editorial staff. Faculty, administrators and students who are not staff members may provide advice and criticism but shall not exercise any powers of veto or censorship over news or editorial content.

6.1.2 To provide conditions for the responsible exercise of the maximum degree of freedom for students, the following guidelines and procedures are established:

6.1.2.1 The present Board of Student Publications shall be replaced by a board to be known as "The Advisory Board for the *State News* and the *Wolverine*." It shall consist of the following members.

a. Four students not affiliated with any student publication:

(1) Two students not members of the ASMSU Student Board shall be nominated by the ASMSU Student Board and appointed by the President of the University;

(2) Two students shall be selected from the student body at large by open petition to the President, who shall make the appointment. Students shall serve one-year terms and may be reappointed.

b. Four faculty members, selected according to the pattern employed for establishing the membership of faculty standing committees. The original committee shall have one member chosen for a one-year term, one member chosen for a two-year term, and two members chosen for three-year terms. Subsequent appointments shall be for three-year terms.

c. A professional consultant to the Advisory Board for the *State News* and the *Wolverine*, recommended by the Advisory Board and appointed by the President of the University from those members of the faculty or University staff with strong professional publishing backgrounds and interests. This consultant shall have no vote.

d. A financial consultant to the Advisory Board for the *State News* and the *Wolverine*, recommended by the Advisory Board and appointed by the President of the University from the staff of the University Business Office. This consultant shall have no vote.

6.1.2.2 The Advisory Board for the *State News* and the *Wolverine* shall recommend to the President an individual to be employed as Staff Adviser to the *State News*. The Staff Adviser shall be responsible for the financial affairs of the *State News* and shall serve as professional consultant to the Editor-in-Chief of the *State News* and his staff. He shall be responsible to and report to the Advisory Board for the *State News* and the *Wolverine*. In addition, he shall have academic appointment in the College of Communication Arts.

6.1.2.3 The Advisory Board for the *State News* and the *Wolverine* and the Staff Adviser shall provide advice, counsel, and criticism to the staff of the *State News*, but neither shall exercise any veto or censorship over the content of the newspaper.

6.1.2.4 Final authority and responsibility shall be placed on the Editor-in-Chief for the news and editorial content of the *State News* as well as for the newspaper's editorial operation, including the appointment and removal of all other editors and student editorial staff members. At the beginning of his term of office, an Editor-in-Chief shall notify the Advisory Board for the *State News* and the *Wolverine* of the composition of his Editorial Board. The Editorial Board shall consist of not less than four nor more than eight persons occupying the positions designated by the Editor-in-Chief as eligible for membership on the Editorial Board, and once a position is so designated it shall remain designated during the tenure of that Editor-in-Chief regardless of changes in the personnel assigned to such positions.

6.1.2.5 If in the opinion of the majority of the Editorial Board any action by the Staff Adviser or the Advisory Board for the *State News* and the *Wolverine* constitutes interference with the editorial de-

cisions or policies of the student staff, such action may be appealed to the Student-Faculty Judiciary.

6.1.2.6 The Editor-in-Chief shall be appointed for a term of one year or to fill the unexpired portion of a one-year term. The appointment process shall be as follows: At least 30 days prior to the appointment, public announcement shall be made that any interested student may petition for the office. Petitions shall be submitted in duplicate to the Chairman of the Advisory Board for the *State News* and the *Wolverine*. The Chairman shall then provide one copy of each petition to the incumbent Editor-in-Chief. The Editorial Board shall then interview all petitioners, and shall designate its order of preference among them in a written report to the Advisory Board for the *State News* and the *Wolverine*. If the Editorial Board's decision is not unanimous, a minority report or reports may also be submitted. The Advisory Board for the *State News* and the *Wolverine* shall then either affirm the Editorial Board's preference, or, if it chooses, select one of the other petitioners.

6.1.2.7 a. The Editor-in-Chief of the *State News* may be removed upon the recommendation of a majority of the members of the Editorial Board subject to this provision, that the recommendation must be approved by a majority of the Advisory Board for the *State News* and the *Wolverine* after a hearing and a finding by the Advisory Board of proper cause for removal. The cause for removal must not be inconsistent with the provisions of this document. Such removal may be appealed to the Student-Faculty Judiciary; if it is, then pending the disposition of the appeal the Advisory Board for the *State News* and the *Wolverine* may designate an Acting Editor-in-Chief but shall not make a permanent appointment until the Student-Faculty Judiciary has rendered its decision in the case.

b. By majority vote, the Advisory Board for the *State News* and the *Wolverine* may suspend an Editor-in-Chief of the *State News* and appoint an Acting Editor-in-Chief. Before or at the time the suspension becomes effective, the Chairman of the Advisory Board for the *State News* and the *Wolverine* shall provide to the Editor-in-Chief a written statement of the charges on which the action is based, and on the same date this written statement of charges shall also be filed with the Chairman of the Student-Faculty Judiciary. With the greatest expedition possible, the Student-Faculty Judiciary shall hold a hearing on the charges. If the Student-Faculty Judiciary finds that there is proper cause for removal

of the Editor-in-Chief which is not inconsistent with the provisions of this document, the Editor-in-Chief shall be removed and a replacement appointed by the procedure herein set forth. If the Student-Faculty Judiciary finds that there is no proper cause, the Editor-in-Chief shall be reinstated forthwith.

6.1.2.8 The Advertising Manager of the *State News* shall be appointed by the Advisory Board for the *State News* and the *Wolverine* from nominations submitted by the incumbent advertising staff and from publicized, open student petition to the Advisory Board for the *State News* and the *Wolverine*. The Advertising Manager may be removed by the same procedures used to remove the Editor-in-Chief. Advertising staff positions shall be filled by appointment by the Advertising Manager, and such appointees may be removed by him.

6.1.2.9 The Editor-in-Chief or Advertising Manager must confer with the Advisory Board for the *State News* and the *Wolverine* before either may remove any member of his respective staff. Any staff member, either editorial or advertising, who has been removed by the Editor-in-Chief or Advertising Manager, shall be entitled to a hearing by the respective editor or manager and a written statement of the basis for his removal.

6.2 The Wolverine

6.2.1 The *Wolverine* is a special kind of University publication which requires considerable technical knowledge in its production. The following guidelines should insure its efficient continuation:

6.2.1.1 The Advisory Board for the *State News* and the *Wolverine* shall recommend to the President a University faculty or staff member with a strong professional publishing background to be appointed as Staff Adviser of the *Wolverine*. The Staff Adviser shall be responsible for the financial affairs of the *Wolverine* and shall provide professional advice and counsel to the Editor and his staff. The Adviser shall be responsible to, and shall report to, the Advisory Board for the *State News* and the *Wolverine*.

6.2.1.2 The Editor of the *Wolverine* shall be selected by the Advisory Board for the *State News* and the *Wolverine* from nominations supplied by the incumbent Editor and from open, publicized petition to the Board. In making its decision, the Board shall consult with the incumbent Editor and the Staff Adviser.

6.2.1.3 The Editor of the *Wolverine* may be removed by the Advisory Board for the *State News* and the *Wolverine* after consultation with

the Staff Adviser and a hearing before the Board. Removal may be appealed to the Student-Faculty Judiciary.

6.2.1.4 The Advertising Manager of the *Wolverine* shall be appointed by the Advisory Board for the *State News* and the *Wolverine* from nominations submitted by the incumbent advertising staff and from publicized, open student petition to the Board.

6.2.1.5 Advertising staff positions shall be filled by appointment by the Advertising Manager, who may remove such appointees by the same procedures used to remove *State News* staff members. The Advertising Manager of the *Wolverine* may be removed by the same procedure used to remove the Editor.

6.3 Other Student Publications

6.3.1 Students should have maximum freedom to express opinions and communicate ideas by writing, publishing, and distributing materials.

6.3.2 For the purpose of this instrument, student publications are publications in which Michigan State University students have been involved, at least in part, in writing, publishing, and distributing, namely,

a. Publications of student living units and governing groups;

b. Publications of MSU student organizations and MSU student groups;

c. Student publications sponsored by colleges or departments of the University.

6.3.3 The following guidelines are established:

6.3.3.1 Responsibility for editorial or other content, finance and distribution shall lie with the sponsoring agency, group, or organization.

6.3.3.2 The University shall not authorize student publications.

6.3.3.3 Every student publication shall identify the sponsoring agency, group, or organization.

6.3.3.4 These guidelines shall apply to all student publications, whether distributed free or offered for sale.

6.3.3.5 a. (1) The privilege of distribution which is accorded to any free student publication shall be equally accorded to all.

(2) Any place established for distribution of the *State News* shall be equally accessible for the distribution of any free student publication.

(3) The places of free distribution shall be limited to the places established for the distribution of the *State News*.

(4) No door-to-door or hand-to-hand free distributions shall be permitted in any organized living unit or in any classroom or office building.

(5) No door-to-door solicitations for sale shall be permitted in any organized living unit or in any classroom or office building.

(6) In accordance with the five provisions just stated, each living unit shall decide for itself whether (and if so, where) it wants such a place of distribution in the building. Its policy shall be formalized according to the procedures laid down in Article 5.

(7) For buildings other than organized living units the Vice President for Student Affairs shall determine, after consultation with the administrative occupants and in accordance with the first five provisions just stated, the places of distribution.

b. (1) The establishment of booths or self-service stands for the sale of student publications or of subscriptions to them shall be permitted in the lobby of the Student Union and in the lobby of the International Center.

(2) No solicitation for advertising, subscription or sale shall be permitted in any organized living unit for any publication whatever. The places authorized for such solicitation within buildings are restricted to the Student Union and the International Center.

(3) The sale of any student publication in an organized living unit is prohibited, unless the organized living unit, according to the procedures laid down in Article 5, chooses to have it by self-service distribution (automatic vendor, coin box, etc.).

c. Free distribution and sale by students of student publications shall be permitted on the campus outside the confines of campus buildings, subject only to such limitations as are necessary to prevent interference with the use of streets, sidewalks and building entrances.

d. The Office of the Vice President for Student Affairs shall keep available for inspection an up-to-date list of places of distribution within campus buildings.

6.3.3.6 The University shall neither authorize nor prohibit the solicitation of advertising by any student publication.

6.3.3.7 Any regulations necessary to implement the general policy of these guidelines relating to the distribution and selling of student publications on campus shall be developed according to the procedure described in Article 5.

ARTICLE 7

Procedure for Amending and Revising This Document

7.1 This document may be amended and revised according to the following procedure:

7.1.1 The Student Board of ASMSU or the Faculty Committee on Student Affairs may propose amendments and revisions, or approve amendments and revisions proposed by living unit or group governments or by not less than one hundred student petitioners.

7.1.2 Proposed amendments and revisions approved by the Student Board of ASMSU and the Faculty Committee on Student Affairs shall be presented to the Academic Council by the Chairman of the Faculty Committee on Student Affairs.

7.1.3 Proposed amendments and revisions approved by the Academic Council shall be forwarded to the Board of Trustees via the President, and shall become operative upon Board approval.

7.1.4 Proposed amendments and revisions shall not become operative without consultation with the Student Board of ASMSU and the approval of the Academic Council and the Board of Trustees. If one of the two latter bodies rejects a proposed amendment or revision, it shall send an explanation to the body that proposed it.

7.1.5 The academic community shall be promptly and appropriately informed of all action taken on proposed amendments and revisions.

ARTICLE 8

General Recommendations

8.1 Orientation of New Students Regarding Their Rights and Responsibilities

It is recommended that applicants accepted for admission, whether prospective freshmen or transfer students or graduate students, be given an appropriate orientation statement regarding the rights and responsibilities of students at Michigan State University.

8.2 Handbook of Regulations and Structures

It is recommended that a handbook of the University's current regulations and structures relating to student rights and responsibilities be made available to every member of the academic community.

8.3 The Office of the Ombudsman

The President shall appoint from the senior faculty a high prestige official with the title of Ombudsman. The sensitive and confidential nature of the Ombudsman's work dictates that he conduct his operations with dignity and integrity. He shall respect the privacy of all persons who solicit his assistance and protect them against retribution. His functions shall include the following charges:

8.3.1 He shall establish simple, orderly procedures for receiving requests, complaints and grievances of students.

8.3.2 He shall assist students in accomplishing the expeditious settlement of their problems. He may advise a student that the student's request, complaint or grievance lacks merit, or that the student should seek his remedy before another duly constituted body or officer of the University; or the Ombudsman (if he deems it appropriate) may assist the student in obtaining an informal settlement of the student's problem.

8.3.3 In the performance of his duties the Ombudsman shall have broad investigatory powers and direct and ready access to all University officials from the President down.

8.3.4 When the Ombudsman deems it necessary he shall report directly to the President valid complaints for which no remedy has been found. He shall also report any recommendations he wishes to make regarding such complaints.

8.3.5 He shall make periodic reports to the President regarding the operation of the Ombudsman's office.

8.4 Adoption and Implementation of this Report

8.4.1 It is recommended that the Academic Council adopt this Report; that the Council then forward it to the Academic Senate with the recommendation that it be adopted and forwarded, with a recommendation for its adoption, through the President to the Board of Trustees; that the guidelines and procedural structures defined in this Report become operative 120 days after adoption by the Board; and that the academic community be promptly and appropriately informed as to all action taken on this Report.

8.4.2 During the interim period of 120 days following Board action, the detailed rules, regulations and procedures not specifically considered herein should be revised to conform to the guidelines of the Report. Appointments to committees and other positions should also be made during this period.